

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 \* \* \*

4 DAVID THOMPSON,

Case No. 3:23-cv-00341-MMD-CSD

5 Plaintiff,

ORDER

6 v.

7 PERRY RUSSELL, *et al.*,

8 Defendants.

9 This is a civil-rights action under 42 U.S.C. § 1983 by state prisoner David  
10 Thompson. The Court screened Plaintiff's first amended complaint, allowing claims to  
11 proceed, staying this action for 90 days, and referring it to the Court's inmate mediation  
12 program. (ECF No. 7). A mediation conference is scheduled for May 14, 2024. (ECF  
13 No. 12). But Plaintiff has filed a notice stating that he is "profoundly hearing impaired,"  
14 "has not been provided ad[equate] hearing assistance devices in 24 years," and "is not  
15 versed in any other language or type of communication[.]" (ECF No. 8 at 1). He asks the  
16 Court to allow fellow inmate William R. Lyons, #79249, to be present to help him during  
17 the mediation conference. (*Id.* at 1–2). The Court will provide the Nevada Department of  
18 Corrections ("NDOC") an opportunity to object to Plaintiff's request, if it wishes to do so.

19 It is therefore ordered that the NDOC has until **May 6, 2024**, to file an objection to  
20 Plaintiff's request to have an inmate helper present during the mediation conference (ECF  
21 No. 8). Plaintiff may not file a reply.

22 If the NDOC timely files an objection, the Court will enter an order, set the matter  
23 for hearing, or both. But if the NDOC does not timely object, the Court will allow Plaintiff  
24 to have Lyons present to help him during the mediation conference without further prior  
25 order, and the NDOC must make the appropriate arrangements to effectuate that  
26 accommodation.

27 DATED THIS 29th day of April 2024.

28   
UNITED STATES MAGISTRATE JUDGE